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**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
CENTRAL FAX CENTER**

5   Applicant:   Wen-Sung Tsai                   Examiner:   Luu, Matthew  
Filing Date:   02/07/2002                       Art Unit:   2672  
Serial No.:    09/683,729                       Docket No.: CEIP0037USA

DEC 10 2003

**OFFICIAL**

10   Title:       Display Device Capable of Dynamically Compensating Effect of  
                  Environmental Light

15   To:           Commissioner for Patents  
                  P.O. BOX 1450  
                  Alexandria, VA 22313-1450

20   Subject:      Appeal Brief

Please find attached an Appeal Brief in accordance with 37 C.F.R. 1.192 in  
response to the Office action mailed 4/11/2003.

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12/19/2003 V BUTLER 00000001 500801 09683729

01 FC:1402	330.00 DA
02 FC:1253	950.00 DA

**APPEAL BRIEF**

This is an appeal in accordance with 37 C.F.R. 1.192 in response to the Office action mailed 4/11/2003 rejecting claims 6, 7, 9, 10, and 12-14 of application serial no. 5 09/683,729.

**REAL PARTY IN INTEREST (37 C.F.R. 1.192(c)(1))**

10 The real party of interest is the assignee: Compal Electronics, Inc., No. 581, Jui-Kuang Rd., Neihu, Taipei, Taiwan R.O.C.

**RELATED APPEALS AND INTERFERENCES (37 C.F.R. 1.192(c)(2))**

None.

15

**STATUS OF CLAIMS (37 C.F.R. 1.192(c)(3))**

Claims 1-5, 8, and 11: Cancelled  
20 Claims 6, 7, 9, 10, and 12-14: Rejected

Claims 6, 7, 9, 10, 12, and 14:Appealed

**STATUS OF AMENDMENTS (37 C.F.R. 1.192(c)(4))**

25 No amendment has been filed subsequent to final rejection.

**SUMMARY OF THE INVENTION (37 C.F.R. 1.192(c)(5))**

30 The invention, as claimed and as illustrated in Figs.1 and 2, provides a plurality of light sensors 20 disposed around a screen 14 of a display device 12 of a computer system 10 (paragraph 0018). The sensors 20 are connected to a controller 30. The

sensors 20 measure and output detecting signals 21 corresponding to the brightness and color of ambient light around the screen 14. The controller 30 includes a color analyzer 36 that analyses the detecting signals 21 and controls a gray level adjusting device 32 to output adjusting signals 29R, 29G, 29B to light sources 34R, 34B, 34G of the display device 12 so as to adjust a color balance of an image on the screen 14 (paragraph 0022).

ISSUES (37 C.F.R. 1.192(c)(6))

10 Issue 1: Whether claims 6, 7, 9, 10, 12, and 14 are unpatentable under 35 U.S.C. §103(a) over Hansen (US 6,147,664) in view of Hirose et al. (US 5,032, 828).

GROUPING OF CLAIMS (37 C.F.R. 1.192(c)(7))

15 The appealed claims 6, 7, 9, 10, 12, and 14 can be grouped.

ARGUMENT (37 C.F.R. 1.192(c)(8))

20 Re: Issue 1

Appealed claim 1 recites: "a plurality of sensors for detecting different colors of ambient light and generating corresponding detecting signals". In contrast, the photodiode 16 taught by Hirose in US 5,032,828 does not and should not measure ambient light and thus cannot be reasonably combined with the teachings of Hansen in US 6,147,664 to make the claim 1 unpatentable.

Hirose's photodiode 16 is adapted to measure light emitted by a light emitting element 15 (Fig.1). It is important to note that in all Hirose's of embodiments (see 30 Figs.1, 5, and 6; Fig.1 is representative) that comprise a photodiode, an LCD panel is located between the photodiode and the light emitting element. As such, the photodiode 16 measures light emitted by the light emitting element 15 and passing

through the LCD panel 12 (col.3 lines 18-23). In effect, the photodiode 16 and the light emitting element 15 form a closed loop calibration device for measuring the effect of the LCD panel 12 on light emissions of the CRT 11. The closed loop nature of Hirose's device is exemplified by Fig.7, which illustrates an embodiment without a 5 photodiode or light emitting element.

Hirose does not disclose measuring ambient light. The applicant contends that since Hirose's closed loop is designed to measure the effects of the LCD 12 on light emitted by the CRT 11, preventing stray ambient light from being measured by the 10 photodiode 16 would be desirable to prevent unknown effects on performance. That is, the effects of ambient light is neither directly addressed nor speculated on by Hirose. Furthermore, given the arrangements shown in Figs.1, 5, and 6 of Hirose, it would be apparent to one of ordinary skill in the art that the photodiode should be prevented 15 from measuring ambient light. Thus, the applicant contends that Hirose discloses no motivation for using the photodiode 16 to measure ambient light, and further, suggests against such. One of ordinary skill in the art would not be motivated by Hirose to modify the photodiode 16 to measure ambient light.

In addition, Hansen does not suggest that another type of sensor, such as a color 20 light sensor, could be used in place of the ambient light sensor 580 (brightness sensor, col. 14 lines 15-32). Thus, there is no motivation for one of ordinary skill in the art to incorporate Hirose's photodiode into Hansen's portable computer 550 of Fig.7.

The examiner does not indicate the motivation used to combine the teachings of 25 Hansen and Hirose besides that provided by the applicant. Thus, these references were not considered as a whole and were combined in hindsight.

Sincerely,

5

Winston Hsu

Date: 14/01/2013

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## APPENDIX – LIST OF CLAIMS UNDER APPEAL

6. A display device for a computer system comprising:

5        a screen for displaying a picture image for a user in front of the screen;

      a plurality of sensors for detecting different colors of ambient light and generating corresponding detecting signals; and

      a controller for adjusting color levels of the picture image displayed on the screen according to the detecting signals.

10      7. The display device of claim 6 wherein each of the sensors is capable of detecting a brightness of light emitted to a sensing surface of the sensor.

9. The display device of claim 7 wherein the controller adjusts a brightness of the picture image according to the detecting signals.

15      10. The display device of claim 9 wherein when the brightness of light detected by the sensors is greater than a predetermined value, the controller will correspondingly increase the brightness of the picture image.

20      12. The display device of claim 6 wherein the controller adjusts the color levels of the picture image so as to compensate for the ambient light color levels and to generate an expected picture image.

25      14. The display device of claim 6 wherein the computer system is a portable computer, and the display device is a liquid crystal display installed on the portable computer.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

5      Applicant:    Wen-Sung Tsai                      Examiner:    Liu, Matthew  
Filing Date:    02/07/2002                              Art Unit:    2672  
Serial No.:    09/683,729                              Docket No.:    CEIP0037USA

10     Title:              Display Device Capable of Dynamically Compensating Effect of  
                            Environmental Light

15     To:                      Commissioner for Patents  
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10 Jui-Kuang Rd., Neihu, Taipei, Taiwan R.O.C.

**RELATED APPEALS AND INTERFERENCES (37 C.F.R. 1.192(c)(2))**

None.

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Claims 1-5, 8, and 11: Cancelled

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sensors 20 measure and output detecting signals 21 corresponding to the brightness and color of ambient light around the screen 14. The controller 30 includes a color analyzer 36 that analyses the detecting signals 21 and controls a gray level adjusting device 32 to output adjusting signals 29R, 29G, 29B to light sources 34R, 34B, 34G of the display device 12 so as to adjust a color balance of an image on the screen 14 (paragraph 0022).

**ISSUES (37 C.F.R. 1.192(c)(6))**

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**GROUPING OF CLAIMS (37 C.F.R. 1.192(c)(7))**

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The appealed claims 6, 7, 9, 10, 12, and 14 can be grouped.

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Appealed claim 1 recites: "a plurality of sensors for detecting different colors of ambient light and generating corresponding detecting signals". In contrast, the photodiode 16 taught by Hirose in US 5,032,828 does not and should not measure ambient light and thus cannot be reasonably combined with the teachings of Hansen in US 6,147,664 to make the claim 1 unpatentable.

Hirose's photodiode 16 is adapted to measure light emitted by a light emitting element 15 (Fig. 1). It is important to note that in all Hirose's of embodiments (see Figs. 1, 5, and 6; Fig. 1 is representative) that comprise a photodiode, an LCD panel is located between the photodiode and the light emitting element. As such, the photodiode 16 measures light emitted by the light emitting element 15 and passing

through the LCD panel 12 (col.3 lines 18-23). In effect, the photodiode 16 and the light emitting element 15 form a closed loop calibration device for measuring the effect of the LCD panel 12 on light emissions of the CRT 11. The closed loop nature of Hirose's device is exemplified by Fig.7, which illustrates an embodiment without a 5 photodiode or light emitting element.

Hirose does not disclose measuring ambient light. The applicant contends that since Hirose's closed loop is designed to measure the effects of the LCD 12 on light emitted by the CRT 11, preventing stray ambient light from being measured by the 10 photodiode 16 would be desirable to prevent unknown effects on performance. That is, the effects of ambient light is neither directly addressed nor speculated on by Hirose. Furthermore, given the arrangements shown in Figs.1, 5, and 6 of Hirose, it would be apparent to one of ordinary skill in the art that the photodiode should be prevented 15 from measuring ambient light. Thus, the applicant contends that Hirose discloses no motivation for using the photodiode 16 to measure ambient light, and further, suggests against such. One of ordinary skill in the art would not be motivated by Hirose to modify the photodiode 16 to measure ambient light.

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Sincerely,

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Date: 10/10/2003

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## APPENDIX - LIST OF CLAIMS UNDER APPEAL

6. A display device for a computer system comprising:  
a screen for displaying a picture image for a user in front of the screen;  
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a controller for adjusting color levels of the picture image displayed on the screen according to the detecting signals.

10 7. The display device of claim 6 wherein each of the sensors is capable of detecting a brightness of light emitted to a sensing surface of the sensor.

9. The display device of claim 7 wherein the controller adjusts a brightness of the picture image according to the detecting signals.

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14. The display device of claim 6 wherein the computer system is a portable computer,  
25 and the display device is a liquid crystal display installed on the portable computer.

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

5      Applicant:    Wen-Sung Tsai                      Examiner:    Luu, Matthew  
Filing Date:    02/07/2002                              Art Unit:    2672  
Serial No.:    09/683,729                              Docket No.:    CEIP0037USA

10      Title:              Display Device Capable of Dynamically Compensating Effect of  
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15      To:                      Commissioner for Patents  
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**RELATED APPEALS AND INTERFERENCES (37 C.F.R. 1.192(c)(2))**

None.

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Claims 1-5, 8, and 11: Cancelled

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Claims 6, 7, 9, 10, and 12-14: Rejected

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Sincerely,

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Winston Hsu

Date: 14/10/2003

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